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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 59]

PART 750—SOIL BANK

Subpart—Conservation Reserve Program for 1956 Through 1959

Correction

In F.R. Doc. 63-6784, on page 6642 of the issue for Thursday, June 27, 1963, the reference "Conservation Reserve Program for 1960, 24 F.R. 6289" should be "Conservation Reserve Program for 1956 through 1959, 21 F.R. 6289."

(Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Effective date: Date of signature.

Signed at Washington, D.C., on October 22, 1963.

H. D. GODFREY,
Administrator, Agricultral Stabilization and Conservation Service.

[F.R. Doc. 63-11303; Filed, Oct. 24, 1963; 8:47 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 7]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Quotas and Quota Deficits for 1963

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment to Sugar Regulation 811 (27 F.R. 12340; 28 F.R. 715, 1099, 1981, 2978, 3438, 4696, and 9501) is to determine and to prorate deficits in the quotas established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. Previously, the Secretary determined and prorated deficits in quotas amounting to 573,445 short tons, raw value.

On the basis of recent information on the 1963 production of sugar in Hawaii and marketings of Hawaiian sugar in the continental United States to date in 1963, it is hereby found that Hawaii will fall short of filling its 1963 quota of 1,110,000 short tons, raw value, by 40,000 tons. Accordingly, that quantity is hereby determined to be a deficit in the 1963 quota for Hawaii and is herein prorated to the Republic of the Philippines.

The 40,000-ton deficit herein determined, together with the 573,445 short tons, raw value, deficit previously determined, makes a total deficit available for proration of 613,445 short tons, raw value. Pursuant to section 204(a) of the Act, the Republic of the Philippines is entitled to 275,587 tons and the Western Hemisphere countries named in section 202(c)(3)(A) are entitled to the balance amounting to 337,858 tons.

Recent information was received from government officials of the Republic of the Philippines indicating that of the 275,587 tons, that country would be able to supply this market with approximately 197,618 tons. The ability of Western Hemisphere countries to supply 315,827 short tons of sugar within deficit allocations as determined in the Amendment 5 of Sugar Regulation 811, (28 F.R. 4696) remains unchanged. The deficit quantities which the Republic of the Philippines and the Western Hemisphere countries are unable to supply, totalling 100,000 tons, have been made available for importation from foreign countries as a group.

Effective date. This action establishes deficits of 40,000 short tons, raw value, and adds that quantity to the quota of the Republic of the Philippines. To enable scheduling the shipment of the additional sugar from the Republic of the Philippines for arrival in the continental United States before the end of 1963, it is essential that all persons selling and purchasing sugar for consumption in the continental United States be informed of the marketing opportunities as soon as possible. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective when filed for public inspection in the Office of the Federal Register.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.11, 811.12, and 811.13 as follows:

1. Subparagraph (a)(2) of § 811.11 is amended to read as follows:

§ 811.11 Quotas for domestic areas.

(a)(1) * * *

(2) It is hereby determined pursuant to section 204(a) of the Act, that for the calendar year 1963 the Domestic Beet Sugar Area, Hawaii, and Puerto Rico will be unable to fill the quotas established for such areas in subparagraph (1) of this paragraph by the following quantities in short tons, raw value: Domestic Beet Sugar Area—291,537; Hawaii—40,000; and Puerto Rico—270,000. Pursuant to section 204(b) of the Act the determination of deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

2. Paragraph (a) of § 811.12 is amended to read as follows:

§ 811.12 Proration and allocation of deficits and quotas in effect.

(a) The deficits in quotas determined in paragraph (a)(2) of § 811.11 amounting to a total of 601,537 short tons, raw value, plus 11,908 short tons, raw value, withheld from net-importing countries as provided in section 202(e) of the Act, are hereby prorated pursuant to section 204(a) of the Act as follows: By prorating 197,618 short tons, raw value, to the Republic of the Philippines as set forth in paragraph (b)(2) of § 811.13, which is herein determined to be the extent of its ability to fill its share of the deficit, by prorating 315,827 short tons, raw value, to Western Hemisphere countries named in section 202(c)(3)(A) of the Act which have quota prorations established for them in this part, which is herein determined to be the extent of the ability of such countries to fill their share of the deficit and by adding 100,000 short tons, raw value, to the quantity of sugar which may be purchased pursuant to section 202(c)(4)(A) of the Act and which is made available for purchase and importation under paragraph (e) of § 811.13. The quantity of 315,827 short tons, raw value, prorated to Western Hemisphere countries under this paragraph (a) shall be allocated to individual countries on the basis of applications for set-aside of quota or applications for release in accordance with the order of priority as specified in Part 817 of this chapter: *Provided,* That, whenever the unfilled balance of the quantity that is authorized for allocation to Western Hemisphere countries under this paragraph (a) is less than the total quantity covered by applications that are eligible at any one time for approval under the provisions of § 817.6(b) of this chapter, the procedures provided for in § 817.6(b) of this chapter shall be modified to give priority among such applications to those applications which are accompanied by proposals to purchase United States agricultural commodities.

3. Subparagraphs (b)(2) of § 811.13 is amended to read as follows:

§ 811.13 Quotas for foreign countries.

* * * * *

(b)(1) * * *

(2) In addition to the quantity of 1,050,000 short tons, raw value, for the Republic of the Philippines in subparagraph (1) of this paragraph, a quantity of 197,618 short tons, raw value, representing a proration of a quota deficit as provided in § 811.12(a), is added to and established as a part of the quota for such country. Such quantity of 197,618

short tons, raw value, of sugar may be imported only as raw sugar and upon the condition that the import fee set forth in paragraph (b) of § 811.14 is paid with respect to such quantity as provided in such section.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153. Interprets or applies sec. 204, 61 Stat. 925 as amended; 7 U.S.C. 1114)

Issued at Washington, D.C., this 22d day of October 1963.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 63-11323; Filed, Oct. 24, 1963; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regulations, Amdt. 2]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—General Regulations Governing Price Support for the 1963 and Subsequent Crops

The regulations issued by the Commodity Credit Corporation published in 28 F.R. 2890 and 10636 and containing the General Regulations Governing Price Support for the 1963 and Subsequent Crops of grains and related commodities is hereby amended as follows:

Section 1421.05(b) is being amended to clarify its applicability in the case of farm managers.

§ 1421.05 Miscellaneous requirements.

* * * * *

(b) *Execution of documents—other than producer.* Any legal entity which has an interest in storing, processing or merchandising the commodity for which price support is requested and any representative of such a legal entity shall not be eligible to secure price support on such commodity as an agent for a producer through the use of a power of attorney, except that this provision shall not apply when the representative of such legal entity is serving in the capacity of farm manager for such producer.

(Sec. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 301, 401, 405, 63 Stat. 1051, as amended; sec. 306, 76 Stat. 615, 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on October 21, 1963.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 63-11286; Filed, Oct. 24, 1963; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

Designation of Areas and Approval of Stockyards and Slaughtering Establishments; Authority of Director of Division

Pursuant to the provisions of sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111–113, 114a–1, 120, 121, 125), paragraph (b) of § 78.16 of the regulations in Part 78, Title 9, Code of Federal Regulations, containing restrictions in the interstate movement of animals because of brucellosis, is hereby amended to read:

§ 78.16 Director of Division may designate areas and approve stockyards and slaughtering establishments.

* * * * *

(b) The Director of Division is hereby authorized to amend § 78.14 to add the names of additional stockyards at which Federal inspection is maintained for the inspection of livestock for communicable diseases and to delete the name of any stockyard at which such Federal inspection is no longer maintained. He is further authorized to specifically approve stockyards for the purposes of the regulations in this part and to promulgate notices listing such stockyards in accordance with § 78.14(b) when he determines that the inspection and handling of livestock at such stockyards are adequate to effectuate the purposes of the regulations and the Division and the State in which such stockyards are located have entered into a memorandum of understanding setting forth certain standards for such stockyards. The Director may withdraw approval and remove any stockyard from the said list when he finds that the inspection or handling of livestock at such stockyard is no longer adequate to effectuate the purposes of such regulations, or when he determines that there is not full compliance with all provisions of the standards involved, or when such memorandum of understanding between the Division and the State within which such stockyard is located has been terminated. The Director of Division is further authorized to specifically approve slaughtering establishments for the purposes of the regulations in this part and to promulgate notices listing such slaughtering establishments in accordance with § 78.15(b) when he determines that the inspection and handling of livestock or carcasses or products thereof at such slaughtering establishments are adequate to effectuate the purposes of the regulations. The Director may remove any slaughtering establishment from the said list when he finds that the inspection or handling of livestock or carcasses or products thereof at such slaughtering establishment is no longer adequate to effectuate the purposes of such regulations.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 13, 65 Stat. 693, 21 U.S.C. 111–113, 114a–1, 120, 121, 125; 19 F.R. 74, as amended; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment clarifies the authority of the Director of the Animal Disease Eradication Division to specifically approve stockyards under 9 CFR Part 78 when a memorandum of understanding has been executed by the Division and the particular State setting forth standards for such stockyards, and to withdraw such specific approval when such memorandum of understanding is terminated. The amendment makes no substantive change in the regulations and the procedures followed in specifically approving and withdrawing the approval of stockyards. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are unnecessary and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 21st day of October 1963

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[F.R. Doc. 63-11285; Filed, Oct. 24, 1963; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-CE-33]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone, Revocation of Control Area Extension and Designation of Transition Area

On June 21, 1963, notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6405) stating that the Federal Aviation Agency proposed

to alter the Dickinson, N. Dak., control zone, revoke the Dickinson control area extension and designate the Dickinson transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962) the Dickinson, N. Dak., control zone is amended to read:

Dickinson, N. Dak.

Within a 3-mile radius of Dickinson Municipal Airport (latitude 46°47'45" N. longitude 102°48'00" W.

2. In § 71.165 (27 F.R. 220–59, November 10, 1962) the Dickinson, N. Dak., control area extension is revoked.

3. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Dickinson, N. Dak.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Dickinson Municipal Airport (latitude 46°47'45" N., longitude 102°48'00" W.), within 3 miles W and 1 mile E of the Dickinson VORTAC 002° radial, extending from the 5-mile radius area to 6 miles N of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 9 miles W and 5 miles E of the Dickinson VORTAC 002° and 182° radials, extending from 8 miles S to 11 miles N of the VORTAC, and within 8 miles W and 5 miles E of the Dickinson VORTAC 013° and 193° radials, extending from 4 miles S to 13 miles N of the VORTAC.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective 0001 e.s.t., January 9, 1964.

Issued in Washington, D.C., on October 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–11270; Filed, Oct. 24, 1963; 8:45 a.m.]

[Airspace Docket No. 63–PC–8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Transition Area

On August 7, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 8045) stating that the Federal Aviation Agency proposed to designate a transition area at Molokai, Hawaii.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments, but no comments were received.

Subsequent to the publication of the notice, the FAA has determined that the transition area extension based on the 356° True bearing from the Molokai radio beacon is required only to a distance of 8 miles from the radio beacon and not to 12 miles as proposed. This change is reflected in the action taken herein.

The substance of the proposed amendment having been published and for the reasons stated herein and in the notice, the following action is taken:

Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Molokai, Hawaii.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Molokai Airport (latitude 21°09'25" N., longitude 157°05'55" W.), and within 2 miles each side of the 356° bearing from the Molokai Airport, extending from the 5-mile radius area to 8 miles N of the airport; that airspace extending upward from 1,200 feet above the surface NW of Molokai bounded on the NE by the arc of a 19-mile radius circle centered on the Molokai Airport, on the SE by V–8, on the SW by V–15 and on the NW by V–4; and that airspace NE of Molokai bounded by a line beginning at latitude 21°-22'00" N., longitude 156°48'00" W., thence to latitude 21°14'00" N., longitude 156°31'-30" W., thence to latitude 21°29'00" N., longitude 156°25'00" W., thence to latitude 21°31'00" N., longitude 156°34'05" W., thence to latitude 21°25'00" N., longitude 156°49'30" W., thence to point of beginning.

(Secs. 307(a) and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, Executive Order 10854, 24 F.R. 9565)

This amendment shall become effective 0001 e.s.t., December 12, 1963.

Issued in Washington, D.C., on October 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–11271; Filed, Oct. 24, 1963; 8:45 a.m.]

[Airspace Docket No. 63–WA–71]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Restricted Area, Designation of Restricted Areas and Alteration of Controlled Airspace

The purpose of these amendments to §§ 73.53 and 71.165 of the Federal Aviation Regulations is to revoke one restricted area, designate two restricted areas and exclude these restricted areas from controlled airspace.

The Department of Defense has advised that its installation at Harvey Point, N.C., functions as a Special Testing Activity and that demolitions operations conducted therein constitute a hazard to overflying aircraft due to the altitude attained by fragmentation of explosive charges which are detonated frequently during the hours of both day and night. The Department of Defense has stated an urgent request in the interest of national defense for designation of a continuous restricted area three nautical miles in diameter extending upward to an altitude of 5,000 feet MSL.

Since this hazardous area lies partly within and will be used in conjunction with R–5301, action is taken herein to revoke R–5301 and designate two restricted areas as follows:

1. R–5301A to include all of the present R–5301 except the airspace within R–5301B described below.

2. R–5301B to include the airspace within a 1½ nmi radius of latitude 36°05'25" N., longitude 76°18'30" W.

For the reasons stated above, the Administrator finds that a requirement exists for expeditious action in the interest of safety, that notice and public procedure hereon are impracticable and contrary to the public interest, and that good cause exists for making this amendment effective with less than thirty days notice.

In consideration of the foregoing, the following actions are taken:

1. In § 73.53 (28 F.R. 19–35, January 26, 1963), R–5301 is revoked.

2. In § 73.53 (28 F.R. 19–35, January 26, 1963), R–5301A is added as follows:

R–5301A Albemarle Sound, N.C.

Boundaries. A circular area with a 3-mile radius centered at latitude 36°03'30" N., longitude 76°20'00" W., excluding the airspace within R–5301B.

Designated altitudes. Surface to 20,000 feet MSL.

Time of designation. Sunrise to sunset.

Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.

3. In § 73.53 (28 F.R. 19–35, January 26, 1963), R–5301B is added as follows:

R–5301B Albemarle Sound, N.C.

Boundaries. A circular area with a 1½-nmi radius centered at latitude 36°05'25" N., longitude 76°18'30" W.

Designated altitudes. Surface to 5,000 feet MSL.

Time of designation. Continuous.

Using agency. Commander, Fleet Air Norfolk, NAS Norfolk, Va.

4. In § 71.165 (27 F.R. 220–59, November 10, 1962), the Edenton, N.C., control area extension, "excluding the portions within R–5301, R–5302, R–5303, R–5304 and R–5305" is deleted and "excluding the portions within R–5301A, R–5301B, R–5302, R–5303, R–5304 and R–5305" is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective November 14, 1963.

Issued in Washington, D.C., on October 23, 1963.

LEE E. WARREN,
Director, Air Traffic Service.

[F.R. Doc. 63–11329; Filed, Oct. 24, 1963; 8:48 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 2028; Amdt. 632]

PART 507—AIRWORTHINESS DIRECTIVES

Grumman Model G–164 Aircraft

There have been instances of damage to the engine fuel and oil lines and engine mount on Grumman Model G–164 aircraft caused by broken spray pump fan blades. To prevent such damage, an airworthiness directive is considered necessary requiring the installation of protective aluminum plates.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and

good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

GRUMMAN. Applies to Model G–164 aircraft Serial Numbers 1 through 220.

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent damage to fuel and oil lines from spray pump fan blades, rivet two 0.063 inch thick 2024–T3 aluminum alloy sheets approximately 6 inches wide by 18 and 28 inches long each, to the left and right lower accessory cowl panels using at least 10 and 16 AD4 type rivets respectively. Center the plate's long dimension opposite the spray pump fan blade arc.

(Grumman Aircraft Engineering Corporation Model G–164 Service Bulletin No. 23, dated June 17, 1963, pertains to this same subject and also lists the availability of Grumman armor plates P/N's A1624–111 and –113.)

This amendment shall become effective October 25, 1963.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on October 21, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63–11269; Filed, Oct. 24, 1963; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 7643]

PART 13—PROHIBITED TRADE PRACTICES

Libbey-Owens-Ford Glass Co. and General Motors Corp.

Subpart—Advertising falsely or misleadingly: § 13.20 *Comparative data or merits;* § 13.20–20 *Competitors' products;* § 13.25 *Competitors and their products;* § 13.25–20 *Competitors' products;* § 13.175 *Quality of product or service.* Subpart—Disparaging Competitors and their products—Competitors: § 13.1015 *Quality.* Subpart—Using Deceptive Techniques in advertising: § 13.2275 *Using deceptive techniques in advertising;* § 13.2275–70 *Television depictions.*[1]

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Libbey-Owens-Ford Glass Company (Toledo, Ohio), et al., Docket 7643, Sept. 20, 1963]

In the Matter of Libbey-Owens-Ford Glass Company, a Corporation, and General Motors Corporation, a Corporation

Order requiring a Detroit manufacturer of glass products for the automotive industry and a leading manufacturer of motor vehicles to cease representing falsely that the safety plate glass used in the side windows of its automobiles was of the same grade and quality as that in its windshields, while the safety sheet glass used in competitors' cars was the same as sheet glass in home windows; and falely comparing the grade and quality of their automobile safety plate glass with the safety glass of their competitors by such practices as using deceptive photographic techniques in television depictions which exaggerated the distortion inherent in safety sheet glass used in competitors' automobiles and minimized that in the safety plate glass used in General Motors Cars.

The order to cease and desist, including further order requiring report of compliance therewith is as follows:

It is further ordered, That Libbey-Owens-Ford Glass Company, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of its automotive glass products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) The automobile safety plate glass used in the side windows of General Motors Corporation automobiles is of the same grade and quality as that used in windshields of such automobiles or otherwise misrepresenting the grade or quality of glass used in any window.

(b) The automobile safety sheet glass used in automobiles other than General Motors Corporation automobiles is of the same grade and quality as the sheet glass used in home windows.

2. Using in advertising any picture, demonstration, experiment or comparison, either alone or accompanied by oral or written statements, to prove the quality or merits of any such products, or the superiority of any such products over competing products, when such picture, demonstration, experiment or comparison is not in fact genuine or accurate and does not constitute actual proof of the claim because of the undisclosed use and substitution of a mock-up or prop instead of the product, article, or substance represented to be used therein.

3. Disparaging the quality or properties of any competing product or products through the use of false or misleading pictures, depictions, demonstrations, or comparisons, either alone or accompanied by oral or written statements.

4. Misrepresenting in any manner the quality or merits of any such products, or the superiority of any such products over competing products.

It is further ordered, That General Motors Corporation, a corporation, and its officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of its automotive glass products, sold either as part of an automobile or separately, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) The automobile safety plate glass used in the side windows of its automobiles is of the same grade and quality as that used in windshields of such automobiles or otherwise misrepresenting the grade or quality of glass used in any window.

(b) The automobile safety sheet glass used in automobiles other than General Motors Corporation automobiles is of the same grade and quality as the sheet glass used in home windows.

2. Using in advertising any picture, demonstration, experiment or comparison, either alone or accompanied by oral or written statements, to prove the quality or merits of any such products, or the superiority of any such products over competing products, when such picture, demonstration, experiment or comparison is not in fact genuine or accurate and does not constitute actual proof of the claim because of the undisclosed use and substitution of a mockup or prop instead of the product, article, or substance represented to be used therein.

3. Disparaging the quality or properties of any competing product or products through the use of false or misleading pictures, depictions, demonstrations, or comparisons, either alone or accompanied by oral or written statements.

4. Misrepresenting in any manner the quality or merits of any such products, or the superiority of any such products over competing products.

It is further ordered, That respondents shall, with sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist set forth herein.

Issued: September 20, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63–11276; Filed, Oct. 24, 1963; 8:45 a.m.]

[Docket No. 8514]

PART 13—PROHIBITED TRADE PRACTICES

Tung-Sol Electric, Inc., and Tung-Sol Sales Corp.

Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a); § 13.736 *Group buying organizations;* § 13.770 *Quantity rebates or discounts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Tung-Sol Electric Inc., et al., Newark, N.J., Docket 8514, Sept. 12, 1963]

In the Matter of Tung-Sol Electric, Inc., a Corporation, and Tung-Sol Sales Corporation, a Corporation

Order requiring a major manufacturer of electronic products, including minia-

[1] New

ture bulbs, sealed beam lamps and flashers for replacement in automotive vehicles, with main office in Newark, N.J., to cease violating section 2(a) of the Clayton Act by such practices as granting on purchases of automotive flashers to buying group jobbers—whose organizations did not perform the functions of warehouse distributors but were actually devices for facilitating the receipt by the jobber purchasers of the discriminatory prices—the higher price discounts accorded warehouse distributors but not available to non-group buying distributors in competition with the favored jobbers; and by granting "incentive rebates," based on net purchases to warehouse distributors and redistributors in addition to their functional discounts.

The order to cease and desist is as follows:

It is ordered, That Tung-Sol Electric Inc., a corporation, and Tung-Sol Sales Corporation, a corporation, their officers, representatives, agents and employees, directly or through any corporate or other device, in or in connection with the sale and distribution for replacement purposes of automotive flashers in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of said products of like grade and quality, by selling to any purchaser at net prices higher than the net prices charged any other purchaser who, in fact, competes in the resale and distribution of said products with the purchaser paying the higher price.

It is further ordered, That the complaint be, and it hereby is, dismissed with respect to miniature bulbs and sealed beam lamps without prejudice to the right of the Commission to take such further action against respondents as future facts and circumstances may warrant.

By "Final Order", order requiring report of compliance is as follows:

It is further ordered, That respondents shall file with the Commission, within sixty (60) days after service of this order upon them, a report in writing, signed by them, setting forth in detail the manner and form of their compliance with the order.

Issued: September 12, 1963.

By the Commission, Commissioners Dixon and MacIntyre not concurring.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-11277; Filed Oct. 24, 1963; 8:46 a.m.]

[Docket No. 7468 o.]

PART 13—PROHIBITED TRADE PRACTICES

Western Radio Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees;* § 13.205 *Scientific or other relevant facts;* § 13.247 *Statutes and regulations.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719; as amended; 15 U.S.C. 45) [Cease and desist order, Western Radio Corporation, et al., Kearney, Nebr., Docket 7468, Sept. 25, 1963]

In the Matter of Western Radio Corporation, a Corporation, and Paul S. Beshore and W. P. Beshore, Individually and as Officers of Said Corporation

Order requiring manufacturers of a "Walkie Talkie" portable radio transmitter in Kearney, Nebr., to cease representing falsely in newspaper and magazine advertising and otherwise that their said "Walkie Talkie" transmitter had a satisfactory operational range of up to one-half mile for a home receiver and up to ten miles when transmitting from auto to auto; that the device carried a one-year service guarantee; and that operation thereof required a license under the Federal Communications Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Western Radio Corporation, a corporation, and its officers, and Paul S. Beshore and W. P. Beshore, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of their portable radio transmitter designated as "New Magic Walkie Talkie", "Radi-Vox" and "Radio Talkie", or any other portable radio transmitter with the same or substantially the same transmitting power, or any other similar product, whether designated under said name or names, or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That said portable radio transmitter, without the use of additional equipment, has a satisfactory operational range of up to one-half mile for reception by home radio receivers, or that said device without additional equipment has an operational range of any specified distance in excess of fifty feet in city, town or commercial areas or seventy-five feet in country or rural areas;

2. That said portable radio transmitter, without the use of additional equipment, has a satisfactory operational range of from one to ten miles when transmitting from an automobile or other moving vehicle to a radio receiver in another vehicle, or representing directly or by implication that said device, so used, has a range of any distance in excess of two city blocks;

3. That any product is guaranteed unless the terms and conditions of such guarantee and the manner and form in which the guarantor will perform are clearly and conspicuously set forth, including the amount of any service or other charge which is imposed;

4. That no license or permit is required for any operational use of said device, unless the specific conditions under which such license or permit would be required are clearly and conspicuously set forth in immediate conjunction therewith.

By "Final Order", order requiring report of compliance is as follows:

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order set forth herein.

Issued: September 25, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-11278; Filed, Oct. 24, 1963; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. FDC-70]

PART 27—CANNED FRUITS AND CANNED FRUIT JUICES; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

Orange Juice and Orange Juice Products; Definitions and Standards of Identity; Findings of Fact and Final Order

Correction

In F.R. Doc. 63-10752, published in the FEDERAL REGISTER of October 11, 1963 (28 F.R. 10906, 10907), the following corrections are made:

1. In Finding of Fact 35, last sentence, the phrase "or '_____ orange juice for manufacturing' " is changed to read "or '_____ orange juice concentrate for manufacturing' ".

2. In § 27.107(e)(2), second sentence, the words "or 'sweeteners' " are deleted.

Dated: October 18, 1963.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

[F.R. Doc. 63-11298; filed, Oct. 24, 1963; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subchapter D—Food Additives Permitted in Food for Human Consumption

CHEMICALS USED IN WASHING FRUITS AND VEGETABLES

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1203) filed by American Cyanamid Company, Berdan Avenue, Wayne, New Jersey, and other relevant material, has concluded that § 121.1091 should be amended to prescribe the conditions of use of polyacrylamide in the washing of fruits and vegetables. Therefore, pursuant to the provisions of the Federal

Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.1091 *Chemicals used in washing fruits and vegetables* is amended as follows:

1. Paragraph (a) is amended by inserting alphabetically in the list in subparagraph (2), a new item as follows:

Substances	*Limitations*
* * * * *	
Polyacrylamide--	Not to exceed 10 p.p.m. in wash water. Contains not more than 0.2 percent acrylamide monomer.

2. Section 121.1091 is further amended by adding thereto a new paragraph (d):

(d) To assure safe use of the additive:

(1) The label and labeling of the additive container shall bear, in addition to the other information required by the act, the name of the additive, or a statement of its composition.

(2) The label or labeling of the additive container shall bear adequate use directions to assure use in compliance with all provisions of this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 18, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-11294; Filed, Oct. 24, 1963; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

COBALTOUS SALTS

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 603) filed by J. E. Siebel Sons' Company, Inc., 4055 West Peterson Avenue, Chicago 46, Illinois, and other relevant material, has concluded that the following regulation should issue to prescribe the conditions under which cobaltous salts may be safely used in fermented malt beverages. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart D the following new section:

§ 121.1142 **Cobaltous salts.**

Cobaltous salts may be safely used in food in accordance with the following prescribed conditions:

(a) The food additive shall consist of one of the following: Cobaltous sulfate, cobaltous chloride, or cobaltous acetate.

(b) The salt is used to provide cobalt in an amount not to exceed 1.2 parts per million (calculated as cobalt) in fermented malt beverages.

(c) The food additive is used or intended for use in fermented malt beverages to improve foam stability and to prevent gushing.

(d) To assure safe use of the additive, in addition to the other information required by the act:

(1) The label of the additive and any intermediate mix shall bear:

(i) The name of the additive.

(ii) A statement of the concentration of the additive in any intermediate mix.

(2) The label or labeling of the additive shall bear adequate directions to provide a final food that complies with the limitations prescribed in paragraph (b) of this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: October 18, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-11295; Filed, Oct. 24, 1963; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Phenethicillin Potassium (Potassium α-Phenoxyethyl Penicillin) for Oral Solution; Change of Expiration Date

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for certification of penicillin and penicillin-containing drugs (21 CFR 146a.18) are amended as follows:

In § 146a.18 Phenethicillin potassium (potassium α-phenoxyethyl penicillin) for oral solution, paragraph (c)(1)(ii) is amended by changing the words "or 30 months" to read "30 months, or 36 months".

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since the nature of the change is such that it cannot be applied to any specific product unless and until the manufacturer thereof has supplied adequate data regarding that article.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: October 18, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-11297; Filed, Oct. 24, 1963; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 8—Veterans Administration

PART 8-1—GENERAL

Subpart 8-1.1—Introduction

PART 8-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart 8-4.6—Livestock

MISCELLANEOUS AMENDMENTS

I. In Part 8-1, § 8-1.101 (b) and (c) is amended to read as follows:

§ 8-1.101 **Establishment of Veterans Administration Procurement Regulations.**

* * * * *

(b) Procurement instructions which implement or supplement 41 CFR Ch. 8, but which do not directly affect the public, will be published by the department head or staff officer responsible for the procurement activity. For this purpose the following assignments are made:

Chapter	Department or Staff Office
8A	Department of Medicine and Surgery.
8B	Manager, Administrative Services.
8C	Assistant Administrator for Construction.
8D	Department of Veterans Benefits.
8E	Department of Data Management.

Material contained in these chapters will not be published in the FEDERAL REGISTER.

(c) Material contained in 41 CFR Ch. 8 and that contained in Chapters 8A, 8B, 8C, 8D, and 8E constitute the Veterans Administration Procurement Regulations.

2. Section 8–1.108–2(b) is amended to read as follows:

§ 8–1.108–2 Procedure.

* * * * *

(b) Where deviations in individual cases are requested by a procuring activity and authorized by the appropriate department or staff office head, the authorization will be placed in the purchase or contract file. A copy of the authorization will be forwarded to the Director, Supply Management Service, who will review the deviations authorized, and recommend any necessary or desirable changes to the Federal Procurement Regulations or the Veterans Administration Procurement Regulations.

* * * * *

3. Section 8–1.302–2 is revised to read as follows:

§ 8–1.302–2 Production and research and development pools.

Veterans Administration Contracting Officers will be advised of, consider bids from, and make awards to, Small Business and Defense Production Pools. The Chief Medical Director or his designee will notify the appropriate departments and staff offices when such pools are approved.

4. Section 8–1.305–3 is revised to read as follows:

§ 8–1.305–3 Deviations from Federal specifications.

Whenever a Contracting Officer finds it necessary to deviate from a Federal specification to fulfill his needs, he will, prior to taking any procurement action, submit to the Chief Medical Director a fully justified request for such deviation. The Chief Medical Director will review the request and advise the Contracting Officer of his decision. If authority to deviate is granted, the Chief Medical Director will furnish notification to GSA as required by FPR 1–1.305–3(b), forwarding a copy of such notification to the Director, Supply Management Service.

5. Section 8–1.306–1 (a) and (b) is amended to read as follows:

§ 8–1.306–1 Mandatory use and application of Federal standards.

(a) Requests for exceptions to Federal standards not authorized by FPR 1–1.306–1(a) will be submitted with adequate justification to the Chief Medical Director for submission to General Services Administration.

(b) Where conflict exists between a Federal standard and the applicable Federal specification, notice will be furnished to the Chief Medical Director who will take appropriate action to have the conflict reconciled by General Services Administration.

* * * * *

6. A new § 8–1.310–9 is added to read as follows:

§ 8–1.310–9 Pre-award on-site evaluation.

Pre-award on-site evaluation shall be made for contracts covering the products and services of bakeries, dairies, ice-cream plants and laundries. A committee under the direction of the Contracting Officer and composed of representatives of the medical and using service, appointed by the Director or Manager, shall inspect and evaluate the plant, personnel, equipment and processes of the prospective contractor. Prior to any inspection, the Contracting Officer will inquire whether the plant has been recently inspected and approved by another Veterans Administration station or Federal agency. Approved inspection reports of another Veterans Administration station will be accepted by Veterans Administration stations and approved inspection reports of other Federal agencies may be accepted as satisfactory evidence that the facilities of the bidder meet the requirements of the Invitation to Bid, provided, inspection was made not more than six months prior to the proposed contract period.

7. Section 8–1.901 is revised to read as follows:

§ 8–1.901 General.

Instances of possible antitrust violations will be reported by procurement activities in accordance with FPR 1–1.9 to the Chief Medical Director for review and submission to the General Counsel, who will determine whether or not to submit the case to the Attorney General.

8. In § 8–1.1101(a), the introductory portion immediately preceding subparagraph (1) is amended to read as follows:

§ 8–1.1101 Procurement of qualified products.

(a) Federal Qualified Products Lists are lists of products qualified under the applicable Federal or interim Federal specification. Such lists may be used as authorized by the appropriate department or staff office. Requests to receive copies of existing Federal Qualified Products Lists will be submitted to the Chief Medical Director for transmittal to General Services Administration. Requests to establish a Federal Qualified Products List for a commodity will be submitted to the Chief Medical Director, supported by one or more of the following justifications:

* * * * *

9. In Part 8–4, § 8–4.607 is revised to read as follows:

§ 8–4.607 Reporting violations.

Instances of possible violations of the statement of eligibility given in accordance with FPR 1–4.604 will be reported to the Chief Medical Director for review and submission to the General Counsel. Determination as to whether or not the case should be submitted to the Department of Justice will be made by the General Counsel.

(72 Stat. 1114, sec. 205(c), 63 Stat. 390; 38 U.S.C. 210, 40 U.S.C. 486(c))

These regulations are effective immediately.

Approved: October 21, 1963.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 63–11293; Filed, Oct. 24, 1963; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 1—GENERAL RULES OF PRACTICE

Procedures for Issuance to Single-State Common Carriers by Motor Vehicles of Certificates of Registration

Correction

In Federal Register Document 63–3796, published at page 3533 in the issue of Thursday, April 11, 1963, Form No. 7 was noted as filed with the original document. Form No. 7 reads as follows:

APPENDIX (APPROVED FORM NO. 7 UNDER § 1.245)

NOTICE OF FILING OF APPLICATION FOR PUBLICATION IN FEDERAL REGISTER UNDER SECTION 206(a)(6) OF THE INTERSTATE COMMERCE ACT, AS AMENDED

(See instructions)

PART I

(To be completed by applicant)

Notice is hereby given that the below-named applicant has filed with

_____
(Name of State commission)

an application for a certificate to conduct motor common carrier operations in intrastate commerce; that, in connection with such operations, applicant also is seeking authority to engage in transportation in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations which may be authorized to be conducted; and that the intrastate and interstate operations proposed to be conducted are as set forth below.

1. _____
(Name and business address of applicant)

_____
(Street) (City) (State)

2. _____
(Name and address of applicant's representative, if any)

_____
(Street) (City) (State)

3. Describe below in full the operations proposed to be conducted in intrastate commerce, together with the extent to which applicant is seeking authority in connection with such intrastate operations to engage in transportation in interstate and foreign commerce. (If additional space is necessary, use reverse side.)

_____
(Signature)

_____
(Title)

Date _____ 19__

PART II

(To be completed by State commission)

Date of filing application ----------
Docket number assigned ----------
Date and time and place application has been assigned for hearing, if known --------

---

(Signature)

(Title)

(Name of State commission)

Date this notice forwarded to Interstate Commerce Commission, Washington 25, D.C., ---------- 19--

INSTRUCTIONS

This form is for use in giving notice to interested persons regarding the filing of intrastate motor carrier applications in connection with which the applicant also desires authority to engage in interstate and foreign commerce pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962, by Public Law 87-805. It should be filed *in duplicate* (along with the intrastate application) with the State commission, which will forward it to the Interstate Commerce Commission, Washington 25, D.C.

The description in Part I, item 3 should include the commodities (or passengers) sought to be transported, the points to be served, and the routes over which, or territories within which, such transportation is to be performed. Care should be taken to insure that the description, which will be published in the FEDERAL REGISTER, fully informs interested persons of the type and scope of the proposed intrastate operations, and the extent to which applicant desires authority to engage in transportation in interestate and foreign commerce in connection with such intrastate operations.

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3257]

[Anchorage 059534]

ALASKA

Revoking Various Public Land Orders, in Whole or in Part

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Orders No. 390 of August 4, 1947; No. 540 of December 21, 1948; No. 846 of June 26, 1952; No. 1549 of November 7, 1957, No. 1552 of November 7, 1957, No. 1559 of December 6, 1957, and No. 1723 of August 19, 1958, which withdrew lands in Alaska for recreation and other public purposes, are hereby revoked, so far as they affect the following-described lands:

a. Public Land Order No. 390:

SEWARD MERIDIAN

T. 5 N., R. 10 W.,
Sec. 32, lot 2.

b. Public Land Order No. 540:

SEWARD MERIDIAN

T. 5 N., R. 8 W.,
Sec. 7, lots 5 and 10.
T. 1 S., R. 14 W.,
Sec. 34, lot 6, and E½NE¼SW¼.

c. Public Land Order No. 846:

SEWARD MERIDIAN

T. 1 S., R. 14 W.,
Sec. 34, lot 6, and E½NE¼SW¼.

d. Public Land Order No. 1549:

SEWARD MERIDIAN

KENAI PENINSULA

T. 6 N., R. 11 W.,
Sec. 31, lots 11, 12, 35, 51, 73, 74, 91, 92, 113, 114, 132; lots 143 to 164 incl., and lots 175 to 189 incl.
T. 5 N., R. 11 W.,
Sec. 4, lot 6 (except wtihdrawal made by Public Land Order No. 1035);
Sec. 15, lots 6 and 8;
Sec. 24, lot 1.
T. 5 N., R. 9 W.,
Sec. 22, lot 3.
T. 4 N., R. 12 W.,
Sec. 24, lot 13.
T. 2 N., R. 13 W.,
Sec. 29, lot 1.
T. 1 S., R. 14 W.,
Sec. 34, lots 13, 14, 15, 16, and NW¼NW¼NE¼SW¼.
T. 2 S., R. 14 W.,
Sec. 4, lot 5.

Big Lake Area

T. 17 N., R. 4 W.,
Sec. 27, lot 25;
Sec. 35, lots 16 and 33;
Sec. 25, lot 11.

Pennock Island

U.S. Survey No. 3316, lot 7;
U.S. Survey No. 2990, lot 17A.

Second Beaver Lake

T. 17 N., R. 3 W.,
Sec. 8, lot 12.

e. Public Land Order No. 1552:

SEWARD MERIDIAN

Sucker Lake

T. 7 N., R. 11 W.,
Sec. 17, S½NW¼NW¼, SW¼NE¼NW¼, W½SE¼NW¼, and SW¼NW¼.

Unnamed Lakes

T. 7 N., R. 11 W.,
Sec. 5, lots 11 and 12;
Sec. 8, lot 4.

Unnamed Lakes

T. 7 N., R. 11 W.,
Sec. 2, lots 2 and 3;
Sec. 3, lot 1.
T. 8 N., R. 11 W.,
Sec. 34, lots 21, 27, 28 and 29.

Twin Lakes

T. 8 N., R. 11 W.,
Sec. 36, lots 5 to 8 incl.

Daniels Lake

T. 8 N., R. 11 W.,
Sec. 22, lots 2 and 3;
Sec. 23, lots 4 and 5.

Unnamed Lakes

T. 8 N., R. 11 W.,
Sec. 22, E½NE¼NE¼;
Sec. 23, lots 2 to 4 incl.

Porcupine Lake

T. 2 N., R. 12 W.,
Sec. 9, lots 2 and 5.

Oscar Lake

T. 16 N., R. 4 W.,
Sec. 1, lots 4, 5, and 14.

Willow Creek

T. 19 N., R. 4 W.,
Sec. 1, lot 3 (East 19.95 acres);
Sec. 5, S½ of lot 1, and SE¼ of lot 2.

f. Public Land Order No. 1559:

SEWARD MERIDIAN

Little Susitna River Area

T. 18 N., R. 3 W.,
Sec. 22, SE¼SW¼, and SW¼SE¼.

Anchor River Area

T. 4 S., R. 15 W.,
Sec. 22, lot 3.

g. Public Land Order No. 1723:

SEWARD MERIDIAN

T. 5 N., R. 8 W.,
Sec. 20, lot 1;
Sec. 21, lot 3.
T. 2 N., R. 11 W.,
Sec. 6, lots 9 to 13 incl., lots 21 to 26 incl., lots 30 to 32 incl., lots 35 to 37 incl., lots 38, 39, 42, 43, lots 45 to 57 incl., SE¼NE¼NW¼, and E½SE¼NW¼.
T. 3 N., R. 11 W.,
Sec. 9, lots 1 and 2.
T. 4 N., R. 11 W.,
Sec. 34, W½SW¼.

The areas described, including the public and nonpublic lands, aggregrate 1,430.63 acres.

2. Until 10:00 a.m. on January 18, 1964, the State of Alaska shall have a preferred right to select the public lands released from withdrawal by this order as provided by the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR Part 76.

3. This order shall not otherwise become effective to change the status of the public lands until 10:00 a.m. on January 18, 1964. At that time they shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State of Alaska received prior to 10:00 a.m. on January 18, 1964, shall be considered as simultaneously filed at that time.

4. The public lands described in subparagraph 1b of this order have been open to location under the United States mining laws for metalliferous minerals. They will be open to such location for nonmetalliferous minerals at 10:00 a.m. on January 18, 1964.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

OCTOBER 18, 1963.

[F.R. Doc. 63-11292; Filed, Oct. 24, 1963; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 929]

CRANBERRIES

Free and Restricted Percentages for 1963–64 Fiscal Period and Standards for Withheld Cranberries; Termination of Proposed Rule Making Proceedings

Notice was published in the FEDERAL REGISTER on September 13, 1963 (28 F.R. 9946), that there was under consideration a proposal to establish a free percentage of 95 percent and a restricted percentage of 5 percent for all cranberries acquired during the fiscal period August 1, 1963–July 31, 1964, and to establish standards for withheld cranberries. The proposal was recommended by the Cranberry Marketing Committee (established pursuant to the marketing agreement and order as the agency to administer the provisions thereof), pursuant to the provisions of the marketing agreement and Order No. 929 (7 CFR Part 929) regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons opportunity to file with the Department written data, views, or arguments pertaining to the proposal. After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the data, views, and arguments submitted, and other available information (including the latest recommendation of the committee), it is hereby found that there is no need to limit, pursuant to § 929.52, the total quantity of cranberries that may be handled during the current fiscal period (August 1, 1963–July 31, 1964). The latest committee recommendation was based on an industry estimate that the 1963 cranberry production will be approximately 100,000 barrels less than the estimated production on which it initially recommended for the current fiscal period a free percentage of 95 percent and a restricted percentage of 5 percent. The committee's latest recommendation was unanimous that there was no present need for any free and restricted percentages to limit the total quantity of cranberries that may be handled during the current fiscal period.

Therefore, no free and restricted percentages are fixed for application to cranberries acquired by handlers during the 1963–64 fiscal period; and, since there will be no requirement to withhold cranberries, no standards for withheld cranberries are prescribed.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: October 21, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63–11302; Filed Oct. 24, 1963; 8:47 a.m.]

[7 CFR Part 989]

RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Proposed Expenses of Raisin Administrative Committee and Rate of Assessment for 1963–64 Crop Year

Notice is hereby given of a proposal regarding expenses of the Raisin Administrative Committee for the 1963–64 crop year and rate of assessment for that crop year, pursuant to §§ 989.79 and 989.80 of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The Raisin Administrative Committee has unanimously recommended for the crop year beginning September 1, 1963, a budget of expenses in the total amount of $106,400 and an assessment rate of 70 cents per ton of assessable raisins. Expenses in that amount and the assessment rate are specified in the proposal hereinafter set forth. The assessable tonnage is estimated by the Committee at 152,000 tons.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250, not later than the tenth day after the date of publication of this notice in the FEDERAL REGISTER.

The proposal follows:

§ 989.314 Expenses of the Raisin Administrative Committee and rate of assessment for the 1963–64 crop year.

(a) *Expenses.* Expenses (other than those specified in § 989.82) in the amount of $106,400 are reasonable and likely to be incurred by the Raisin Administrative Committee during the crop year beginning September 1, 1963, for the maintenance and functioning of the Committee and the Raisin Advisory Board.

(b) *Rate of assessment.* The rate of assessment for such crop year which each handler is required, pursuant to § 989.80, to pay to the Raisin Administrative Committee as his pro rata share of the expenses is hereby fixed at 70 cents per ton for free tonnage raisins acquired by him during the crop year and for reserve tonnage raisins sold to him by the Committee pursuant to § 989.67 during the crop year.

Dated: October 22, 1963.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division.

[F.R. Doc. 63–11283; Filed, Oct. 24, 1963; 8:46 a.m.]

Agricultural Research Service

[9 CFR Part 74]

SCABIES IN SHEEP

Proposed Addition of Ohio and Iowa to List of Designated Eradication Areas

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, and the Act of March 3, 1905, as amended (21 U.S.C. 111–113, 115, 117, 120, 121, 123–126) it is proposed to amend § 74.3(a)(1) of Part 74 Subchapter C, Chapter I, Title 9, Code of Federal Regulations, by adding the States of Iowa and Ohio to the list of areas therein designated as eradication areas since the cooperative sheep scabies eradication program is now being conducted in such States. The entire States of Iowa and Ohio are presently included in the infected areas as sheep scabies is known to exist in such States.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 21st day of October 1963.

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[F.R. Doc. 63–11284; Filed, Oct. 24, 1963; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–WE–45]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the

Federal Aviation Regulations, the substance of which is stated below.

The Walla Walla, Wash., control zone is designated as that airspace within a 5-mile radius of Walla Walla City-County Airport.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Walla Walla area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. Alter the Walla Walla control zone by redesignating it as that airpspace within a 5-mile radius of Walla Walla City-County Airport (latitude 46°05'-35'' N., longitude 118°17'20'' W.), and within 2 miles each side of the Walla Walla VOR 215° True radial, extending from the 5-mile radius zone to 8 miles southwest of the VOR.

2. Designate the Walla Walla transition area as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Walla Walla VOR 355° True radial, extending from the arc of a 5-mile radius circle centered on the Walla Walla City-County Airport (latitude 46°05'35'' N., longitude 118°17'20'' W.) to 8 miles north of the VOR; within 2 miles each side of the 015° True bearing from the Walla Walla radio beacon (radio range to be converted to radio beacon on or about October 17, 1963), extending from the arc of a 5-mile radius circle centered on the Walla Walla Airport to 8 miles north of the radio beacon, and within 2 miles northwest and 5 miles southeast of the Walla Walla VOR 040° True radial, extending from the arc of a 5-mile radius circle centered on the Walla Walla Airport to 12 miles northeast of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles southeast and 12 miles northwest of the Walla Walla VOR 023° and 203° True radials, extending from 14 miles southwest to 28 miles northeast of the VOR, and within 6 miles southeast and 9 miles northwest of the Pendleton, Oreg., VOR 025° True radial, extending from 33 miles northeast to 61 miles northeast of the VOR, excluding the portion within the Pendleton transition area.

The actions taken herein would, in part, increase the size of the Walla Walla control zone by the addition of an extension southwest of Walla Walla to provide protection for aircraft executing prescribed instrument approach procedures to the Walla Walla Airport.

The portion of the proposed transition area with a floor of 700 feet above the surface would provide protection for aircraft executing prescribed instrument approach and departure procedures at Walla Walla Airport. The portion with a floor of 1,200 feet above the surface would provide protection for aircraft while holding at the Walla Walla VOR, the Lamar Intersection (intersection of the Pasco, Wash., VOR 092° and the Pendleton, Oreg., VORTAC 025° True radials), for portions of the instrument approach and departure procedures conducted above 1,500 feet above the surface, and for aircraft executing prescribed instrument holding pattern procedures within the Walla Walla terminal area.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on October 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11265; Field, Oct. 24, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-EA-84]

FEDERAL AIRWAY AND CONTROLLED AIRSPACE

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

A south alternate of VOR Federal airway No. 12 extends from Dayton, Ohio, via the intersection of the Dayton 099° and the Appleton, Ohio, 244° True radials to Appleton. The lastest IFR peak day airway traffic survey for this south alternate of Victor 12 shows no aircraft movements on this alternate airway. Therefore, it appears that this segment of airway is unjustified as an assignment of airspace and the Agency proposes its revocation.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica, N.Y., 11430. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; U.S.C. 1348).

Issued in Washington, D.C., on October 17, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11266; Filed, Oct. 24, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-16]

CONTROLLED AIRSPACE

Alteration of Proposed Designation of Transition Area

In a notice of proposed rule making published in the FEDERAL REGISTER on July 18, 1963 (28-F.R. 7354) it was stated, in part, that the Federal Aviation Agency proposed to designate a transition area at Oklahoma City, Okla.

Subsequent to the publication of the notice, the VOR instrument approach procedure at the Wiley Post Airport has been changed to the Oklahoma City

VORTAC 230° True radial. Therefore, to provide protection for aircraft executing instrument approach procedures at Wiley Post Airport, it is proposed herein to enlarge the portion of the proposed Oklahoma City transition area with a floor of 700 feet above the surface to include the airspace within 8 miles northwest and 5 miles southeast of the Oklahoma City VORTAC 230° True radial, extending from the VORTAC to 12 miles southwest.

Accordingly, the notice is hereby amended, in part, to propose the portion of the Oklahoma City transition area extending upward from 700 feet above the surface as that airspace bounded by a line beginning at latitude 35°15'30" N., longitude 97°19'00" W.; to latitude 35°23'00" N., longitude 97°14'30" W.; to latitude 35°40'30" N., longitude 97°14'-30" W.; to latitude 35°40'30" N., longitude 97°28'30" W.; to latitude 35°39'00" N., longitude 97°40'00" W.; to latitude 35°33'00" N., longitude 97°50'00" W.; to latitude 35°34'30" N., longitude 97°58'00" W.; to latitude 35°22'30" N., longitude 98°02'00" W.; to latitude 35°18'00" N., longitude 97°42'00" W.; to latitude 35°08'00" N., longitude 97°42'00" W.; to latitude 35°08'00" N., longitude 97°28'00" W.; to latitude 35°15'30" N., longitude 97°28'00" W.; to point of beginning; and within 8 miles northwest and 5 miles southeast of the Oklahoma City VORTAC 230° True radial, extending from the VORTAC to 12 miles southwest.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material is extended to 30 days after the date of publication in the FEDERAL REGISTER of this supplemental notice.

Communications should be submitted to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on October 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11267; Filed, Oct. 24, 1963; 8:45 a.m.]

[14 CFR Part 73 [New]]

[Airspace Docket No. 63-AL-20]

RESTRICTED AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to § 73.22 of the Federal Aviation Regulations, the substance of which is stated below.

The Eagle River, Alaska, Restricted Area R-2203 is an area of 69 square miles assigned to the Commanding General, United States Army Alaska, for artillery and mortar weapons firing. The area is designated for continuous use from the surface to 18,000 feet MSL. The Federal Aviation Agency, Anchorage ARTC Center is the controlling agency.

As a result of numerous aerial and ground observations of this area by representatives of the Federal Aviation Agency and a review of the Army utilization report for the period October 1, 1961, through September 30, 1962, it appears the portion of R-2203 east of the Alaska Railroad is not utilized sufficiently to warrant its continued designation as restricted airspace, and revocation thereof would be in the public interest. Accordingly, the Federal Aviation Agency proposes that the portion of R-2203 east of a line beginning at the intersection of longitude 149°40' W., with the southern boundary of R-2203 and extending north to the Alaska Railroad, thence northeasterly along the railroad to its intersection with the eastern boundary of R-2203, be revoked. Revocation of this segment of R-2203 would provide a wider, more clearly defined corridor between R-2203 and the Chugach Mountains for use by VFR aircraft.

If this action is taken, R-2203 would be redesignated as follows:

R-2203 Eagle River, Alaska.

Boundaries. Beginning at latitude 61°29'-00" N., longitude 149°33'48" W.; to latitude 61°22'00" N., longitude 149°33'48" W.; thence southwesterly along the Alaska Railroad to latitude 61°17'20" N., longitude 149°40'00" W.; to latitude 61°17'15" N., longitude 149° 40'00" W.; to latitude 61°17'15" N., longitude 149°42'25" W.; to latitude 61°18'00" N., longitude 149°44'00" W.; to latitude 61°27' 15" N., longitude 149°44'00" W.; to the point of beginning.

Designated altitudes. Surface to 18,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Anchorage ARTC Center.

Using agency. Commanding General, U.S. Army Alaska, Fort Richardson, Alaska.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Alaskan Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 440, Anchorage, Alaska, 99501. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C., 20553. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on October 21, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-11268; Filed Oct. 24, 1963; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 8]

[Docket No. FDC-72]

COLOR ADDITIVES

β-apo-8'-Carotenal; Postponement of Prehearing Conference and Announcement of Public Hearing

In the matter of listing β-apo-8'-carotenal as a safe color additive for use in or on foods and exempting it from certification:

The prehearing conference in the above-identified matter scheduled for October 25, 1963, has been postponed to October 29, 1963.

The hearing announced for October 28, 1963 (28 F.R. 10300), will be held October 30, 1963, at the time and place indicated in the previous notice.

Dated: October 23, 1963.

WILLIAM E. BRENNAN,
Hearing Examiner, Food and Drug Division, Office of the General Counsel.

[F.R. Doc. 63-11338; Filed, Oct. 24, 1963; 8:48 a.m.]

[21 CFR Part 19]

CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS; AND RELATED FOODS

Notice of Petition To Amend Standards of Identity for Certain Cheeses To Permit Addition of Sorbic Acid and Salts of Sorbic Acid To Retard Mold Growth

Correction

In F.R. Doc. 63-11129 appearing in the issue for Tuesday, October 22, 1963, at page 11279, make the following changes:

1. In the 3d paragraph, line 9, the word "were" should read "where".

2. In the 6th paragraph, line 7, the word "preservation" should read "preservative."

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1963 Rev. Supp. No. 11]

PLANET INSURANCE CO.

Surety Company Acceptable on Federal Bonds

OCTOBER 22, 1963.

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C. 6–13.

An underwriting limitation of $1,502,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next revision of Department Circular 570, to be issued as of June 1, 1964. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington, D.C., 20226.

State in Which Incorporated, Name of Company and Location of Principal Executive Office

Wisconsin; Planet Insurance Company, Philadelphia, Pennsylvania.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 63–11300; Filed, Oct. 24, 1963; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 419]

CALIFORNIA

Notice of Filing of Plat of Survey

OCTOBER 16, 1963.

1. Plat of survey of the lands described below will be officially filed in the Land Office, Riverside, California, effective 10:00 a.m. on November 25, 1963.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 15 S., R. 23 E.,
Sec. 16, All.
Sec. 21, All.

The area described aggregates 1280.00 acres. Plat of survey accepted September 27, 1963.

2. Except for and subject to valid existing rights, it is presumed that title to the following lands passed to the State of California upon acceptance of the plat of survey.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 15 S., R. 23 E.,
Sec. 16, All.

The area described aggregates 640.00 acres.

3. The following described lands have been withdrawn by Departmental Orders of July 26, 1929 and October 16, 1931, and included in First Form Reclamation Withdrawals, Colorado River Storage Project, under provisions of section 3, of the Act of June 17, 1902 (32 Stat. 388).

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 15 S., R. 23 E.,
Sec. 21, All.

The area described aggregates 640.00 acres.

4. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of the applicable laws, rules, and regulations.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claim must enclose properly corroborated statements in support of their application, setting forth all facts relevant to their claims.

6. Inquiries concerning these lands should be addressed to the Manager, Land Office, Bureau of Land Management, 1414 8th Street, Riverside, California, 92502.

JENS C. JENSEN,
Land Office Manager.

[F.R. Doc. 63–11279; Filed, Oct. 24, 1963; 8:46 a.m.]

[Oregon 013902]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

OCTOBER 16, 1963.

The Forest Service, United States Department of Agriculture, has filed an application, Serial No. Oregon 013902, for the withdrawal of lands described below, from location and entry under the general mining laws, subject to valid existing rights.

The applicant desires the lands withdrawn to protect and develop the areas for public outdoor recreation purposes. The lands are located in the Umatilla National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 NE. Holladay, Portland, Oregon, 97232.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

UMATILLA NATIONAL FOREST

Happy Home Campground

T. 4 S., R. 29 E.,
Sec. 29.
Total—10 acres.

Coon Campground

T. 4 S., R. 30 E.,
Sec. 31.
Total—15 acres.

Drift Fence Campground

T. 6 S., R. 32 E.,
Sec. 4.
Total—10 acres.

Mote Springs Campground

T. 7 S., R. 32 E.,
Sec. 28.
Total—10 acres.

Cable Creek Campground

T. 6 S., R. 33 E.,
Sec. 11.
Total—15 acres.

Big Creek Campground

T. 6 S., R. 34 E.,
Sec. 33.
Total—10 acres.

Moon Meadows Recreational Area

T. 7 S., R. 35 E.,
Sec. 30.
Total—30 acres.

South Fork Campground

T. 2 N., R. 37 E.,
Sec. 5.
Total—7.50 acres.

Elk Campground

T. 2 N., R. 37 E.,
Sec. 5.
Total—10 acres.

Elbow Campground

T. 3 N., R. 37 E.,
Sec. 28.
Total—10 acres.

Powder Campground

T. 3 N., R. 37 E.,
Sec. 28.
Total—40 acres.

Squaw Springs Campground

T. 2 N., R. 38 E.,
Sec. 5.
Total—20 acres.

Phillips Wayside

T. 2 N., R. 38 E.,
Sec. 11.
Total—10 acres.

Spout Springs Lookout and Ski Area

T. 3 N., R. 38 E.,
Sec. 3 and in sec. 10.
Total—350 acres.

Woodland Park Campground

T. 3 N., R. 38 E.,
Sec. 14.
Total—20 acres.

Deadman Spring Campground

T. 4 N., R. 38 E.,
Sec. 14.
Total—20 acres.

Target Meadow Campground

T. 4 N., R. 38 E.,
Sec. 21;
Sec. 28.
Total—210 acres.

Tollgate Campground

T. 4 N., R. 38 E.,
Sec. 32.
Total—20 acres.

Luger Spring Campground

T. 3 N., R. 39 E.,
Sec. 5.
Total—10 acres.

Dusty Spring Campground

T. 4 N., R. 39 E.,
Sec. 7.
Total—20 acres.

Jubilee Campground

T. 4 N., R. 39 E.,
Sec. 8;
Sec. 17.
Total—160 acres.

Squaw Spring Campground

T. 5 N., R. 39 E.,
Sec. 9.
Total—10 acres.

Bone Springs Campground

T. 5 N., R. 39 E.,
Sec. 28.
Total—20 acres.

Mottet Spring Campground

T. 5 N., R. 39 E.,
Sec. 32.
Total—20 acres.

Timothy Spring Campground

T. 5 N., R. 39 E.,
Sec. 36.
Total—30 acres.

Deduck Campground

T. 6 N., R. 39 E.,
Sec. 29.
Total—20 acres.

Bear Canyon Campground

T. 5 N., R. 40 E.,
Sec. 35;
Sec. 36.
Total—20 acres.

Mosier Spring Campground

T. 5 N., R. 41 E.,
Sec. 4.
Total—20 acres.

The total combined area is approximately 1,150 acres.

STANLEY D. LESTER,
Land Office Manager.

[F.R. Doc. 63-11280; Filed, Oct. 24, 1963; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 23-892]

JOHANNES HENDRIKUS VOS ET AL.

Order Extending Temporary Denial of Export Privileges

In the matter of Johannes Hendrikus Vos, d.b.a. Handelsonderneming J. H. Vos, Werkenmondestraat 3, Dordrecht, The Netherlands; Pierre Emile Marie Contresty, 3560 Fullum Street, Montreal, Canada; N. V. Metro (Midden Europese Transport Onderneming) and E. Walda, its Managing Director, Strevelsweg 700, Rotterdam, The Netherlands; respondents.

An order temporarily denying export privileges for a period of sixty days was issued in the above matter on August 21, 1963 (28 F.R. 9445). Said order was issued in connection with an investigation instituted by the Export Control Investigations Division, Bureau of International Commerce, into activities of respondents in obtaining commodities of U.S. origin, including automotive parts and equipment and diesel engines, and diverting and transshipping, and participating in the diversion and transshipment, of such commodities to Cuba in contravention of the United States Export Control Act and regulations thereunder. The investigation is continuing.

The Acting Director of said Investigations Division has applied under § 382.11 of the Export Regulations for an extension of the temporary order for a period of ninety days.

The matter has been considered by the Compliance Commissioner, and he has reported his recommendation to me that the temporary order be extended for a period of ninety days and that such extension will be in the public interest and is necessary for the effective enforcement of the law. I do so find.

Accordingly, it is hereby ordered,

1. The respondents, their successors, agents, and employees are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by any respondent or related party, directly or indirectly, in any manner or capacity (a) as a party or as a representative of a party to any validated export license application, or documents to be submitted therewith, (b) in the preparation or filing of any export license application or of any documents to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, using or disposing in any foreign country of any commodities or technical data, in whole or in part exported or to be exported from the United States, and (e) in the storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

2. Such denial of export privileges shall extend not only to the respondents, but also to any successors and to any person, firm, corporation or business organization with which they now or hereafter may be related by ownership, affiliation, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

3. This order extends the temporary denial order entered on August 21, 1963 and shall remain in effect for a period of ninety days following the expiration of said temporary denial order unless it is hereafter extended, amended, modified or vacated in accordance with the provisions of the United States Export Regulations.

4. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any such respondents or related party, or whereby any such respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

5. A copy of this order shall be served upon the respondents.

6. The respondents may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Wash-

ington, D.C. at the earliest convenient date.

Dated: October 17, 1963.

RAUER H. MEYER,
Acting Director,
Office of Export Control.

[F.R. Doc. 63-11299; Filed, Oct. 24, 1963; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-57]

WESTERN NEW YORK NUCLEAR RESEARCH CENTER, INC.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 6, set forth below, to Facility License No. R-77. The license, as previously amended, authorizes Western New York Nuclear Research Center, Inc., to possess and operate the nuclear reactor facility located on the campus of The University of Buffalo at Buffalo, New York.

The amendment, as requested by the licensee in a letter dated June 18, 1963, incorporates into the license authorization to possess and use a 30 curie antimony-beryllium source and also provides that the licensee may possess, but not separate, such byproduct material as may be incidentally produced by operation of the reactor. The amendment also adds a condition requiring the licensee to leak test the antimony-beryllium source at intervals not to exceed 12 months. The materials indicated above were previously licensed by Byproduct Material License No. 31-7528-1, which will be terminated upon issuance of the amendment.

The Commission has found that:

(1) Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve consideration of safety factors significantly different from those previously evaluated.

Within fifteen days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see Docket No. 50-57 which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 16th day of October 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 63-11291; Filed, Oct. 24, 1963; 8:47 a.m.]

IRRADIATED FUELS AND BLANKET MATERIALS

Chemical Processing and Conversion of Spent Fuels

1. This notice amends and supplements a similarly entitled notice dated March 12, 1957, 22 F.R. 1591, as previously amended and supplemented by the following notices: March 12, 1958, 23 F.R. 1707; December 16, 1959, 24 F.R. 10165; and May 23, 1961, 26 F.R. 4435. The referenced notices set forth the essential terms of the Atomic Energy Commission's policy with respect to providing for chemical processing and conversion of irradiated fuels and blanket materials from nuclear reactors operated by licensees of the Commission. Under this policy the AEC undertakes, under contracts individually negotiated with persons licensed pursuant to §§ 53.a.(4), 63.a.(4), 103 or 104 of the Atomic Energy Act of 1954, as amended, who possess or will possess irradiated reactor fuels or blanket materials, to receive such fuels and blanket materials and to make a financial settlement therefor. The term of the contracts executed pursuant to this policy is from their respective dates of execution until June 30, 1967. However, each contract reserves the right in the AEC to terminate the contract, without cost, upon a determination by the AEC that the required services will be commercially available at reasonable charges.

2. The AEC hereby announces that it has executed a contract with Nuclear Fuel Services, Inc. (NFS), a Maryland corporation, under which NFS has agreed to provide chemical processing services to the AEC, licensees of the AEC, and foreign reactor operators, for irradiated reactor fuels and blanket materials. NFS is currently engaged in the construction of the chemical processing facility in which these services will be performed.

3. After startup of the NFS plant and in accordance with the policy expressed in the referenced notices, the AEC will no longer execute a chemical processing contract with any licensee unless the AEC shall have determined that chemical processing services are not available to that licensee from the NFS facility, at reasonable terms and charges. After such determination, the AEC will execute a chemical processing contract with the licensee in accordance with the referenced notices.

4. The AEC will terminate chemical processing contracts heretofore or hereafter executed in accordance with the provisions of such contracts as of the startup of the NFS plant, unless the AEC determines that the required chemical processing services are not available from the NFS facility at reasonable terms and charges. AEC's chemical processing contracts provide that the licensee may also terminate the contract.

5. The AEC expects chemical processing contracts to be entered into voluntarily by licensees and NFS, and AEC will take no part in negotiation of such agreements. However, in the event a person licensed pursuant to §§ 53.a.(4), 63.a.(4), 103 or 104 of the Act is unable to reach agreement with NFS, and whether or not such licensee possesses an AEC chemical processing contract, if such licensee considers that the terms and conditions, including charges, for services offered by NFS are unreasonable, the AEC would, upon such licensee's request, review such proposed terms and conditions, including charges, and determine whether the required services are available at reasonable terms and charges. Should the AEC find that such services are available at reasonable terms and charges the AEC would not agree to accept the licensee's irradiated reactor fuel or blanket materials in accordance with the referenced notices. Should the AEC determine that the required services are not available at reasonable terms and charges, the AEC would agree to accept the licensee's irradiated reactor fuels or blanket materials in accordance with the referenced notices.

6. Inquiries concerning this notice should be directed to: Division of Production, U.S. Atomic Energy Commission, Washington, D.C., 20545.

Dated at Germantown, Maryland, this 18th day of October 1963.

For the Atomic Energy Commission.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 63-11290; Filed, Oct. 24, 1963; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 2980]

MARKET AGENCIES AT ST. PAUL UNION STOCKYARDS, SOUTH ST. PAUL, MINN.

Notice of Withdrawal of Effective Date of Modifications of Schedules of Rates and Charges

On August 9, 1963, an order was issued instituting a proceeding (P. & S. Docket No. 2980) under Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), concerning modifications by certain market agencies operating at the St. Paul Union Stockyards, South St. Paul, Minnesota, of their current schedules of rates and charges, which modifications were filed on July 29, 1963, to become effective on August 12, 1963; and suspending and

deferring the operation and use of such modifications for a period of 30 days beyond the time they would have otherwise gone into effect. Such order was published in the FEDERAL REGISTER at 28 F.R. 10275.

On September 10, 1963, an order was issued suspending and deferring the operation and use of such modifications of the current schedules for a further period of 30 days beyond the date when such modifications would have otherwise become effective. Notice of such order was published in the FEDERAL REGISTER at 28 F.R. 10340.

Notice is hereby given that the respondents in P. & S. Docket No. 2980, other than Farmers Union Marketing Association, have further postponed the effective date of such modifications "for such time as is necessary to bring the case to its final conclusion," and that Farmers Union Marketing Association has withdrawn the modifications of its tariff which were filed on July 29, 1963.

Done at Washington, D.C., this 22d day of October 1963.

DONALD A. CAMPBELL,
Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 63-11301; Filed, Oct. 24, 1963; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP64-63]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application and Date of Hearing

OCTOBER 18, 1963.

Take notice that on September 16, 1963, Texas Eastern Transmission Corporation (Applicant) with its principal place of business in Houston, Texas, filed in Docket No. CP64-63 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1964, and the operation of field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally co-extensive with said system.

The total cost of the proposed facilities will not exceed $5,000,000 and no single project will exceed a cost of $500,000. The application states that the proposed facilities will be financed from funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on November 19, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 8, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11273; Filed, Oct. 24, 1963; 8:45 a.m.]

[Docket No. CP64-70]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application and Date of Hearing

OCTOBER 18, 1963.

Take notice that on September 19, 1963, Texas Eastern Transmission Corporation (Applicant), Houston, Texas, filed in Docket No. CP64-70 an abbreviated application pursuant to section 7 of the Natural Gas Act, for a Certificate of Public Convenience and Necessity seeking authorization to sell and deliver to Indiana Gas & Water Company 408 Mcf per day of additional gas on a firm basis, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

This sale and delivery will be made by means of presently authorized facilities.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on November 21, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 12, 1963. Failure of any party to appear at and participate in the hearing shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11274; Filed, Oct. 24, 1963; 8:45 a.m.]

[Project No. 2401]

UTAH POWER & LIGHT CO.

Notice of Application for License

OCTOBER 18, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Utah Power & Light Company (correspondence to: Mr. F. Gerald Irvine, General Counsel, Utah Power & Light Company, P.O. Box 899, Salt Lake City 10, Utah) for license for constructed Project No. 2401, known as the Grace-Cove Project, located on Bear River, Caribou County, near the Town of Grace, Idaho.

The project consists of: Grace Development—a timber crib rock filled dam 180.5 feet long and 51 feet high with 120 feet of spillway controlled by flashboards, and about 200 feet of earth dyke creating a reservoir of 250 acre-feet at maximum elevation of 5,556 feet M.S.L.; two conduits of wood stave and riveted steel pipe conveying water about 4.8 miles to Old Grace and New Grace powerhouses; two powerhouses containing, respectively, two horizontal type generating units rated at 5,500 kilowatts each and three vertical type generating units rated at 11,000 kilowatts each; and other mechanical and electrical appurtenances; and Cove Development—a reinforced concrete dam 140 feet long and 24 feet high and 150 feet of earth dyke creating a small pond with a high water elevation of 5,032 feet M.S.L.; a conduit consisting of a concrete lined canal, open box wood flume, and steel penstocks conveying water about 1.3 miles to the powerhouse; a powerhouse containing a vertical reaction turbine connected to a 7,500 kilowatt generator; and other mechanical and electrical appurtenances.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which

protests or petitions may be filed is December 9, 1963. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-11275; Filed, Oct. 24, 1963; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1631]

ICI FINANCIAL CORP.

Notice of Filing of Application for Order Exempting Company From All Provisions of the Act

OCTOBER 21, 1963.

Notice is hereby given that ICI Financial Corporation ("applicant"), 488 Madison Avenue, New York 22, New York, a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicant from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a complete statement of the representations contained therein, which are summarized below.

Applicant has not issued capital stock or other securities. Upon issuance, all its outstanding shares of capital stock will be owned by Imperial Chemical Industries Limited ("ICI") or a wholly-owned subsidiary of ICI. ICI, a company organized under the laws of England, is one of the largest industrial organizations in the United Kingdom, having been incorporated in 1926 for the purpose of acquiring the businesses then conducted by four major English chemical companies. It engages, directly and through subsidiaries, in the manufacture and sale of various chemicals and chemical products. It also has interests in a number of associated companies, including the ownership of about 38.5 percent of the Ordinary Stock of Courtaulds Limited, a leading manufacturer of rayon and other synthetic fibers in the United Kingdom.

Applicant's sole purpose is to serve as a vehicle through which ICI and its subsidiaries and associated companies may obtain capital funds in the United States. It presently intends to borrow $25,000,000 for use by ICI for capital investment in nonsterling areas. To this end, applicant proposes to issue and sell $25,000,000 principal amount of Twenty-Year Promissory Notes ("Notes") to institutional investors, and to transfer the proceeds to ICI in return for a demand note of ICI ("ICI Note") in an equal principal amount. The terms of the latter will enable applicant to service the indebtedness represented by its Notes and payments by ICI to applicant on the ICI Note will be used for that purpose. ICI will guarantee applicant's obligations on its Notes; however, the Note will not be pledged as security nor will there be any stock or other property pledged as security. While applicant is not prohibited from incurring indebtedness in addition to the indebtedness represented by the Notes, no additional issuance of debt securities is presently contemplated.

Six institutional investors have expressed their willingness to purchase the entire $25,000,000 aggregate principal amount of Notes. Four are insurance companies who will purchase Notes for their own account and two are banks who will purchase the Notes as trustees for the accounts of 24 pension or trust funds and other funds or principals. The Notes will be acquired for investment and not with a view to the distribution or sale thereof. Each bank will represent that its decision to acquire or recommend acquisition shall be the result of a single study and conclusion.

Upon consummation of the transaction described above, applicant's only assets will consist of the ICI Note and assets representing its capital amounting to $1,000,000, less expenses incurred in connection with its organization and the borrowing from institutional investors. Since the business of applicant is to be the providing of funds to ICI or its subsidiaries or associated companies, it is contemplated that all or a major portion of applicant's assets in the future will be notes evidencing loans to ICI or its subsidiaries or associated companies. Payments under such notes will be applied to the payment of applicant's obligations. Applicant will not deal with such notes evidencing loans by it in any way, and it will not hold shares of capital stock of any other corporation.

Applicant asserts that it is not necessary or appropriate in the public interest or consistent with the protection of investors to regulate applicant under the Act, because (i) the only significant assets of applicant will be notes of ICI or its subsidiary or associated companies, (ii) it will not trade in securities, (iii) none of its securities (other than debt securities) will be held by anyone other than ICI or a wholly-owned subsidiary of ICI, and (iv) the Notes will be acquired by institutional investors who will be purchasing for investment.

Section 6(c) of the Act provides that the Commission may, conditionally or unconditionally, exempt any persons, securities or transactions from any provisions of the Act or of any rule thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant has agreed that the Commission's order may be issued subject to the conditions that applicant will:

(1) File with the Commission, within 90 days after the close of each fiscal year of applicant the data required by Items 7 (except with respect to information relating to persons under common control with the applicant), 8, 9 and 10 of Form N-30A-1 adopted by the Commission pursuant to section 30(a) of the Investment Company Act of 1940;

(2) File with the Commission, within 120 days after the close of each fiscal year of the applicant, a balance sheet as of the close of such fiscal year, a statement of income and expense for such fiscal year, and a statement of surplus and a schedule of investments as of the close of such fiscal year;

(3) File with the Commission, within 30 days after the happening of any of the following events, information as to (a) any request to exchange any of the Notes for Notes of smaller denominations, and (b) any transfer of Notes and the name and address of each transferee, to the extent that such information shall be available to, or can reasonably be obtained by, the applicant;

(4) Not issue any additional securities (other than shares of its capital stock to ICI or a wholly-owned subsidiary of ICI and other than securities representing current indebtedness, as determined by generally accepted accounting practices), following the issuance of the $25,000,000 aggregate principal amount of Notes, unless the applicant shall have first given written notice to the Commission describing the proposed issuance of such additional securities within 45 days prior to the date of such proposed issuance; subject, however, to the right of the Commission, upon request of the applicant, to decrease such number of days. Applicant further agrees that if the Commission shall, after receipt of said written notice, determine that a substantial question shall exist as to whether or not the exemption granted by the Order hereby requested should continue and shall mail or otherwise give notice to that effect to applicant at its offices at 488 Madison Avenue, New York 22, New York (or at such other address as applicant may have previously specified in writing to the Commission), within 15 days after the receipt by the Commission of said written notice from applicant, the applicant will not issue such additional securities unless after receipt by the applicant of such notice from the Commission and not less than 15 days prior to the issuance of such additional securities, applicant shall mail or otherwise give written notice to the Commission stating its intention to issue such additional securities, and upon the giving of such notice by applicant the Order hereby requested shall be deemed to have been terminated as of the date applicant shall have mailed or otherwise given such notice to the Commission.

Notice is further given that any interested person may, not later than November 4, 1963, at 12:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with

the request. At any time after said date as provided by Rule O–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 63–11281; Filed, Oct. 24, 1963; 8:46 a.m.]

[File No. 2–6757]

P.S.I. INDUSTRIES, INC.

Notice of Application for Exemption

OCTOBER 21, 1963.

Notice is hereby given that P.S.I. Industries, Inc., an Illinois Corporation (the "Applicant"), has filed an application pursuant to Rule 15d–20 of the general rules and regulations under the Securities Exchange Act of 1934 ("Act") for an order exempting the issuer from the operation of section 15(d) of the Act with respect to the duty to file any reports required by that section and the rules and regulations thereunder.

Rule 15d–20 permits the Commission, upon application and subject to appropriate terms and conditions, to exempt an issuer from the duty to file annual and other periodic reports if the Commission finds that all outstanding securities of the issuer are held of record, as therein defined, that the number of such record holders does not exceed fifty persons, and that the filing of such reports is not necessary in the public interest or for the protection of investors.

The application states with respect to the requests for exemption, as follows:

1. The Applicant has filed the reports required by the aforesaid section 15(d) pursuant to an undertaking contained in the Registration Statement 2–6757 which became effective October 31, 1946;

2. The outstanding stock of Applicant consists of 400,000 shares of common stock, all of such stock being held of record by 31 persons;

3. As of the date hereof, 398,370 shares, or 99.34 percent of the total shares outstanding, are held by Wallace A. Erickson & Co., which is 100 percent owned by Wallace A. Erickson and his wife;

4. Wallace A. Erickson & Co. expects to acquire the remaining 1,630 shares outstanding which are held by 30 persons.

Notice is further given that an order granting the application upon such terms and conditions as the Commission may deem necessary or appropriate may be issued by the Commission at any time on or after November 21, 1963, unless prior thereto a hearing is ordered by the Commission. Any interested persons may not later than November 18, 1963 at 5:30 p.m. submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed to the Secretary, Securities and Exchange Commission, Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of fact or law raised by the application which he desires to controvert.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63–11282; Filed, Oct. 24, 1963; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 22, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38607: *T.O.F.C. service—from and to points in WTL territory.* Filed by Western Trunk Line Committee, agent (No. A–2332), for interested rail carriers. Rates on property moving on class and commodity rates, loaded in or on trailers and transported on railroad flat cars, between Kingsland and Woodbine, Ga., on the one hand, and points in western trunk line territory, on the other.

Grounds for relief: Motor-truck competition, and grouping.

Tariff: Supplement 50 to Western Trunk Line Committee, agent, tariff I.C.C. A–4379.

FSA No. 38608: *Lime to southern territory.* Filed by Illinois Freight Association, agent (No. 217), for interested rail carriers. Rates on lime, common, hydrated, quick or slaked, in carloads, from Chicago and Thornton, Ill., to points in southern territory.

Grounds for relief: Carrier competition.

Tariff: Supplement 70 to Illinois Freight Association, agent, tariff I.C.C. 979.

FSA No. 38609: *Proportional rates—barley from Montana points.* Filed by Pacific Southcoast Freight Bureau, agent (No. 246), for interested rail carriers. Rates on barley, in bulk, in carloads, from East Portland, and Portland, Oreg., on traffic received by rail from specified Great Northern Railway stations in Montana, to specified stations in California.

Grounds for relief: Truck-barge-truck and rail-barge-truck competition.

Tariff: Supplement 145 to Pacific Southcoast Freight Bureau, agent, tariff I.C.C. 1577.

FSA No. 38610: *Soda ash from Saltville, Va., to Westover, Ga.* Filed by O. W. South, Jr., agent (No. A4386), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, in carloads, from Saltville, Va., to Westover, Ga.

Grounds for relief: Private truck competition.

Tariff: Supplement 60 to Southern Freight Association, agent, tariff I.C.C. S–207.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 63–11287; Filed, Oct. 24, 1963; 8:47 a.m.]

[Notice No. 886]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 22, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 65666. By order of October 16, 1963, the Transfer Board approved the transfer to Great Western Packers Express, Inc., Denver, Colo., of a portion of Certificate in No. MC 44605 (Sub-No. 13), issued March 28, 1960, to Milne Truck Lines, Inc., Salt Lake City, Utah, the portion approved for transfer authorizes the transportation of: Packinghouse products and dairy products, from Denver, Colo., to Tucson, Ariz., serving the intermediate points of Colorado Springs and Pueblo, Colo., and Prescott and Phoenix, Ariz., and, fresh, frozen, or dried fruits and vegetables, from Yuma, Ariz., to Denver, Colo., serving the intermediate points of Prescott, Phoenix, and Tucson, Ariz. Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill., attorney for applicants.

No. MC–FC 66126. By order of October 21, 1963, the Transfer Board approved the transfer to Dan Dugan Transport Company, a corporation, Sioux Falls, S. Dak., of Certificates in Nos. MC 22195, MC 22195 (Sub-No. 2), MC 22195 (Sub-No. 16), MC 22195 (Sub-No. 18), MC 22195 (Sub-No. 24), MC 22195 (Sub-No. 31), MC 22195 (Sub-No. 40), MC 22195 (Sub-No. 47), MC 22195 (Sub-No. 48), MC 22195 (Sub-No. 50), MC 22195 (Sub-No. 53), MC 22195 (Sub-No. 61), MC 22195 (Sub-No. 64), MC 22195 (Sub-No. 66), MC 22195 (Sub-No. 71), MC 22195 (Sub-No. 72), MC 22195 (Sub-No. 75), MC 22195 (Sub-No. 78), MC 22195

(Sub-No. 81), MC 22195 (Sub-No. 84), MC 22195 (Sub-No. 88), MC 22195 (Sub-No. 89), MC 22195 (Sub-No. 90), MC 22195 (Sub-No. 92), and MC 22195 (Sub-No. 93), issued November 22, 1941, February 2, 1942, September 17, 1947, March 31, 1948, September 23, 1948, August 29, 1949, April 16, 1952, May 14, 1953, November 19, 1957, August 14, 1953, May 25, 1961, March 30, 1956, June 6, 1958, August 11, 1960, April 20, 1961, March 24, 1961, August 7, 1962, November 13, 1961, May 12, 1961, October 26, 1962, April 16, 1963, May 21, 1963, March 7, 1963, October 16, 1963, and October 18, 1963, respectively, to Dan S. Dugan, doing business as Dugan Oil & Transport Co., Sioux Falls, S. Dak., authorizing the transportation of various specified commodities, in bulk, in tank vehicles, from, to, or between specified points in Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wisconsin. R. G. May, 316 Northwest Bank Building, Sioux Falls, S. Dak., 57102; attorney for applicants.

No. MC–FC 66189. By order of October 15, 1963, the Transfer Board approved the transfer to McGaugh Motor Carrier, Inc., Springdale, Ark., of the operating rights issued by the Commission November 22, 1961, under Certificate in No. MC 123851, to James Theldred Curtis and Roger E. Curtis, a partnership, doing business as E. M. Curtis Transport Company, Fort Smith, Ark., authorizing the transportation, over irregular routes, of new automobiles and trucks, in truckaway service, from Lansing and Pontiac, Mich., and Evansville, Ind., to Fort Smith, Ark.; new automobiles and new trucks, in initial movements, in truckaway service, from places of manufacture and assembly in Detroit, Mich., to Fort Smith and Rogers, Ark.; and to the Oklahoma-Texas State line, immediately north of Paris, Tex., on U.S. Highway 271; new trucks, in initial movements, in truckaway and driveaway service, from the site of the Dodge plant in Warren Township, Macomb County, Mich., to Fort Smith and Rogers, Ark.; new automobiles, in initial movements, in truckaway service, from Evansville, Ind., to Springdale, Ark. John H. Joyce, 26 North College, Fayetteville, Ark., attorney for applicants.

No. MC–FC 66295. By order of October 16, 1963, the Transfer Board approved the transfer to C. Elmer Ross and N. Edith Ross, Smyrna, Del., of Permit in No. MC 38425, issued April 4, 1961, to Irvin W. Zechman, Middleburg, Pa., authorizing the transportation of: Agricultural commodities, fertilizer, chemicals used in the manufacture of fertilizer, feed and seed, from Baltimore, Md., and points in York County, Pa., to Staunton, Winchester, Fredericksburg, Alexandria, and Harrisonburg, Va., Philadelphia, Pa., Burt, Owego, Spencer, and New York, N.Y., Highstown, Centertown, and Vineland, N.J., points in Berkeley and Jefferson Counties, W. Va., points in York, Lancaster, Berks, Potter and Tioga Counties, Pa., and points in Maryland, Delaware, and the District of Columbia; building material and farm supplies, from Baltimore, Md., to points in York County, Pa. Bernard N. Gingerich, Quarryville, Pa., practitioner for applicants.

No. MC–FC 66298. By order of October 16, 1963, the Transfer Board approved the transfer to H. L. Sewell and Lester Foster, a partnership, doing business as Sewell Trucking, Route 1, Harrisonville, Mo., of Certificate in No. MC 118985 (Sub-No. 2), issued July 28, 1960, to Caddells, Inc., 6703 Appleton, Raytown, Mo., authorizing the transportation of: Sand and gravel, in bulk, from Muncie, Kans., and points within five miles thereof, to points in a specified territory in Missouri.

No. MC–FC 66302. By order of October 16, 1963, the Transfer Board approved the transfer to Russell E. Harthcock, doing business as Murray Van Lines, Springfield, Mo., of Certificate in No. MC 80389, issued January 12, 1953, to W. E. Harthcock, doing business as Murray Vans, Springfield, Mo., authorizing the transportation of: household goods, between points in Greene County, Mo., on the one hand, and, on the other, points in Kansas, Oklahoma, Illinois, and Iowa. Buell F. Weathers, 810 Landers Building, Springfield, Mo., attorney for applicants.

No. MC–FC 66306. By order of October 16, 1963, the Transfer Board approved the transfer to John G. McBain, Terryville, Conn., of Permit in No. MC 4140, issued December 6, 1954, to Albert N. Wollenberg, Terryville, Conn., authorizing the transportation of: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between points in Connecticut within a specified territory, and between Winstead, Conn., and points in the specified territory. William L. Mobley, 1694 Main Street, Springfield, Mass., practitioner for applicants.

No. MC–FC 66331. By order of October 16, 1963, the Transfer Board approved the transfer to Capeway Freight Lines, Inc., Whitman, Mass., applicant in No. MC 120818 (Sub-No. 1), BOR–99 filed in the name of Rhue's Express of Brockton, Inc., Whitman, Mass., for certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a)(1) of the Act, supported by Massachusetts certificate No. 3283, authorizing the transportation of general commodities anywhere within the Commonwealth of Massachusetts. George C. O'Brien, The Eighth Floor, 33 Broad Street, Boston 9, Mass., attorney for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63–11288; Filed, Oct. 24, 1963; 8:47 a.m.]

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